UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

The Kroger Co., : Case No.: 0-1-02 439

.

Plaintiff, : Beckwith, J.

Sherman, M.J.

STIPULATION

V.

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Malease Foods Corp., formerly

known as Malese Foods Corp.,

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Defendant.

It is hereby stipulated and agreed by and between the undersigned attorneys for the parties hereto that subject to the approval of the Court, the Calendar Order entered herein on April 29, 2003 be amended so as to extend the discovery deadline from February 1, 2004 to February 27, 2004.

DATED: JANUARY 14, 2004

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